



THE PHILOSOPHY BEHIND THE PRESENT TRAUMA OF RAPE AMONG INDIAN WOMEN

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ABSTRACT

When we think about the societal position of Indian women in the recent years, we must ponder in which era we are living now. We are living in the digital age, or we can say that we are living the era of globalization with flow of digitalization. Now markets and production all over the world. My topic for discussion here is to find out the root cause sex violence in India and the relation between digitalization and the increase of unprecedented threat towards women in India; that means how it changes the scenario of traditional rape culture in India (not only India, all over the world)? Frequent rape with brutality is the blazing issue of India in recent time. As a woman I can say like Kabita Srivastava, General Secretary of the People Union of Civil liberty that we are now seeing the worst phase of sexual violence and misogyny. And I think it should also be the hot topic of academic research at present time so that it can help in policy making to reduce rape rate in India. I have used the word “philosophy” in the title of my paper; because, generally common people think that philosophy is an abstract study. It has nothing to do with the burning issues of human society. But without philosophy not any burning issue in human society can be solved. Philosophy is a critical analysis of the problems of human society. It is a form of rational inquiry that involves questioning and challenging established beliefs, customs, and institutions. And it is the high time to analyze critically in deep the issue of the increasing rape rate of women in India “Why the rate of sex-violence and brutality in rape became perilous in recent years? In my paper I want to explain-

1. What is sexual violence? What is the root of sex violence in India? How digitalization fueling the brutal sex crime in the recent time in India.
2. After observing the rape of Nirvaya case in Delhi and the recent rape in Kolkata outraged people expressed their opinion that the perpetrators should be punished. People are demanding **Death sentence** and hanging as punishment. I want to explain even if it may be necessary under certain situation, **can it be the only solution?**
3. What would be the nature of sex violence (rape violence) in near future in India (world) if it remains unconstrained?
4. Is it possible to stop rape completely? Is it in the hands of Govt. of India? If it is; how far?

KEYWORDS: Digitalization, Discrimination, Sex -violence, Trauma, Pornography

INTRODUCTION

What is Sex Violence?

According to WHO, Sexual violence is any sexual act, attempt to obtain a sexual act, or other act directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. It includes rape, defined as the physically forced or otherwise coerced penetration of the vulva or anus with a penis, other body part or object.

Sexual violence is always a way to exercise power, control someone, or oppress the other person. It is a form of violent sexual actions which are not consensual. In other words, it is the emphasis is on ‘violence’, and not primarily on sexual satisfaction. Sex violence in India increasing in the recent years. It is surprising that along with the increase rate; the nature of sex violence became more violent due to digitalization. It cannot be denied that Misogyny is the root cause of the crime against women. The root of misogyny is the objectification of women. They are treated as mere objects rather than being treated as persons and in many cases, as bodies and their bodies

as mere instruments for ends of other than their own. India is such a country where the social value is mainly related to their reproductive utility. According to the theory of contemporary philosopher Kate Manne, misogyny is the systematic social enforcement of patriarchy. The attitude and actions that maintain a social order of women's subordination to men.¹ But, now women are in new trap of dominance by men.

Misogyny in the socio-religious systems is the root cause of sex violence in India:

The history of Indian women's social status is the story of its deterioration. The past centuries failed to become the founding stones for her social edifice, instead, they acted like thunderbolts to bring it down. Consequently, instead of becoming stronger and better, her condition became progressively weaker than despicable.

At one time, the Indian women may have been a source of the country's dignity, but today she is just a source of its mockery. Is it not surprising that in 21st century also beti bachao beti pohrao

is the main slogan to empower the women? In our country, not even two percent of Indian women are educated. Most Parents do not wish to spend anything on their daughters and even if they educate them, it is merely to increasing the daughters' value in the marriage market, and not for their advancement. If they are taught nothing but the art of pleasing their husband, the outcome would be suicidal. It would be suicidal for society since they can never become true social beings and citizens.² A problem like rape is deeply rooted in Indian Culture. Rape culture in Indian civilization is the root cause sex violence.

Rape is not such a problem that can be stopped by police and by the implementation criminal laws to punish the perpetrators since it is related to family, community and culture. The Hindu image of women emerges from the dual concept of femaleness-

1. Woman as Shakti or energy and power as portrayed in the Puranas. Shakti is creative power of unmanifest Brahman (as explained in the Sankhya philosophy). Woman as creative power or prakriti means nature. Nature is the combination image of earth, fertility, fecundity, and prosper.
2. And as the power of destruction. So, on the one hand woman as Nature is benevolent and bestower and on the other represents the power which is malevolent and devoid of culture and dangerous. As Nature which is uncultured power, which is dangerous is unreliable and fickle. It is full of fear and suspicion. The fear of women as power (danger) and nature (uncultured) which is also the creative power of Purusha (the male principle), it becomes necessary to control even if it is relatively weak and passive. So the dominance over women and subjugation of women has been institutionalized in the form of patriarchy. If the control of sex will be under the control of women, then sexuality will be destructive and malevolent.

There are endless references of the control over women in the literature like Vedas and Puranas. All of us are aware of Manu's smriti. He emphasized the need to control women and prescribed the proper norms and behavior of an ideal woman. I am giving some examples from Manu's Smriti; though it is full of misogynistic and dehumanizing comments.

1. "It is the nature of women to seduce men in this world; for that reason the wise are never unguarded in the company of females".
2. "For women do not care for beauty, nor is their attention fixed on age; thinking 'it is enough that he is a man', they give themselves to the handsome and to the ugly." (Here I would like to ask; what is then when a new born female baby is raped by an adult man? Does he think that she is new born? But she is raped because she is only a female body.)
3. "Through their passion for men, through their mutable temper, through their natural heartlessness, they become disloyal towards their husbands, however carefully they may be guarded in this world."
4. "For women no sacramental rite is performed with sacred texts, thus the law is settled, women who are destitute of strength and destitute of knowledge of Vedic texts, are as

impure as falsehood itself that is a fixed rule. "Manu, ix. 14-18³

Not only in Manu, the concept of the ideal woman is prescribed by the scriptural laws which are rampant in Sanskrit and the other Indian literature, but even in the oral tradition. So, this type of laws prescribed by Manu, other literature, oral or vernacular, made it possible to institutionalize and establish the so-called patriarchal tradition in Hindu society. Fearing the primal supremacy of the women, Hindu cultural institutions tried to capitalize on woman's natural power as dangerous. And gradually this negative cultural construct of femininity replaced the very definition of woman, a culturally – constructed femininity. The Hindu woman is destined to fight against her cultural self, i.e., her cultural constructedness which she has internalized, and the manifest cultural authority.⁴

Is the sex violence in India fuelled by digitalization?

The social situation where the position of Indian women and the attitude of men towards women are not changed much. So definitely with the advent of digitalization the way to oppress women is also changed. There is a close connection between misogynic mind set and pornographic addiction that may lead to increase in brutality in rape in India as evidenced by the rise in rape cases.

People use the Internet as a source to access sexually explicit material, sexual interactions, and cybersex. Alongside Internet access in India, accessing pornography material has also increased, with 12% of websites related to pornography. Most people have convenient access to pornography. It has been estimated that 90% of boys and 60% of girls under the age of 18 have been exposed to pornography, with the average age of first exposure being 12 years⁵. Sexual harassment is regarded as a serious public health problem. Every day, approximately 93 women are raped in India according to National Crime Record Bureau (NCRB). (TOI, July, 2014) According to 2021 NCR data, India lodged average 86 rapes daily, 49 offences against per hour.(The Hindu-2022, 31st August) India registered 31,677 cases in 2021.(India Today, 23 August,2024)In recent decades, surge in the usage of pornography is promoting a severe negative impact on health and well-being throughout the world.

In India recent times, there is a surge in rape cases. There is a relation between pornographic addiction and an increase in sexual crime against women.

Recent decades witness revolution in digital technology. Digital network has extended its reach even to the remotest places, rapidly across countries. Increasing consumption of the Internet also resulted in surge in the usage of pornography. Pornography has changed the traditional perception about sexuality. It may take the form of an addiction, which has several negative impacts on health and well-being.

According to a research of National Institute of Health (US), easy access to pornography did not have a significant impact on rape rates and crime rate against women. But a recent meta-

analysis showed an overall significant positive associations between use of pornography and attitudes supporting violence against women. In contrast to the earlier meta-analysis, the current results showed an overall significant positive association between pornography use and attitudes supporting violence against women in non-experimental studies. In addition, such attitudes were found to correlate significantly higher with the use of sexually violent pornography than with the use of nonviolent pornography.⁶

Sanjoy Roy, the prime accused of Kolkata rape and murder case was addicted to violent porn, according to police investigation. Roy is 'sexual pervert with animal instinct'. Several pornographic contents were found in the mobile phone that Roy was using and later seized by the Kolkata police before the investigation handed over to the CBI on an order of the Calcutta High Court. (The Hindu, 13th August)

He consumed alcohol before the crime he made and he used to watch porn while drinking there. Investigators said that Roy has a "perverted mind" because he consumed such types of pornographic material which people not usually watch. (India Today, 12 August, 2024)

According to prominent lawyer Indira Jaising, the nature of rape itself is changing. It takes the form of more vigilantism and gangsterism. People use the Internet as a source to access sexually explicit material, sexual interactions, and cybersex. There were few reviews related to Internet pornography use and sexual motivation, learning from pornography, **but there was no review on addiction to pornography and sexual violence against women in India.**

Additionally, in pornographic videos, the men's portrayal as in charge, while women are submissive and obedient, exemplify unequal power and distribution between men and women; often, ego-centric cultures foster beliefs of male superiority and women inferiority, this attitude ultimately led to sexual violence against women. All these can play an important role in negative social issues like child sexual abuse, rape, violence against women, family breakdown, crime among youth, and sexually transmitted diseases.

India stands in third position among most porn-watching countries and fourth in the highest rape crime countries. Every day, approximately 93 women are raped in India. Though there are few reviews related to Internet pornography use and sexual motivation, learning from pornography; the problem is with the addiction to pornography. There is no evidence that anyone can learn from *violent sex pornography*. Research suggests that people who consume pornography are more likely to commit sexual violence. Adolescents who watch

Pornography may also exhibit a higher tendency to experience sexually coercive behaviour. Male adolescents who are exposed to frequent pornographic material may also exhibit higher levels of sexual aggression compared with those with infrequent exposure to pornography.

Is Death sentence the only solution?

Punishment like death sentence cannot be the only measure to stop sex violence in India. In a culture where the justice system is skewed, any sentence that final would be dangerous in any case. "Besides that, compelling research shows that death sentences don't deter crime. Capital punishment is just wrong. According to Sohalia Abdulai, who was the first Indian survivor to speak out about rape and was gang-raped as a teenager in Bombay and indignant of the defending silence on the issue in India. "Hanging them high will diminish us all."⁷

But I am a bit disagree with her. The perpetrators must be punished depending on the severity of the violence they commit. And they must not be allowed to move freely due to the political influences and under the influence of police administration. Wherever necessary strong laws must be implemented to stop violence. In my view, it would be better; if punishment like death sentence would be accepted as a short-term measure. But the importance of death sentence can also not be denied in long term. Because though death sentence for killing human being cannot stop general murder; even then depending on the severity a murderer can be hanged. So it cannot be said in case of rape that it has less importance; (debate on the justifiability of capital punishment is going on)

But it cannot be the only solution if the ruling govts. give priority to do win election only without giving much priority to the socio-economic development of poorer sections of society, to remove the deplorable conditions of women and to make them alert about their rights then only punishment cannot stop sex-violence in India. So, the other long-term measures like legal reforms, institutional reforms, and institutional accountability, to increase the rate of involvement of women in govt. are essential. Institutions and administration, politics, community engagement are necessary.

When the question of digital sex or brutality in rape comes, definitely the question of violent porn addiction cannot be overlooked. But the question is, does India has control over the porn hubs, like Mind Geek and Only Fans? The answer is clear that it is not in the hands of India. Because that issue is completely global.

It is clear that India has not a high level internet freedom. In 2022, Indian Govt. Continues to block some online contents. Numerous court orders have been issued in recent years, resulting in many porn-sites becoming blocked and inaccessible in India.

New owner of porn-hub said that the Govt. Should stop cranking down on porn websites and instead take pride in sexual expression and held to make porn normal and "boring".⁸

Should Indian Govt. Normalize porn-sites to stop sex violence? If it is then how? Would it be possible for India to safeguard the minds of teens from the harmful effects of pornography? In this digitalized contemporary society new rape culture remains an important issue with ongoing efforts to challenge harmful attitudes. For this high-level research is needed in Indian as

well as also in global context. Because even if Govt. of India try to ban websites; people can easily open these websites. In the World technology OTT (Over The Top) platform which plays a major role in the entertainment sector. OTT platforms like Amazon Prime, Netflix, Disney Hotstar, and Apple TV have a huge number of viewership which is rapidly increasing. It includes viewers of all ages showing content unfiltered may include violence, abuse, pornography, obscenity, etc. which is not suitable for some specified category of viewers. The content shown in some of such platforms which hold some power to influence people may affect the physiological condition of teenagers and children.

Punishment would be a short term measure. The long term measures like legal reforms, institutional accountability to increase the rate of involvement in govt. Institutions and administration, politics, community engagement etc.

Indian government has not blocked the pornographic content as a policy measure; it is done by Uttarakhand High Court, after a brutal rape committed by few young men by the excitement induced by porn sites. Some adult websites are banned in India but websites have their alternative domains to access the content by a large number of people still now.

In 2018, the UN Special Rapporteur on Violence against women, submitted their report to Human Right Council about the causes and consequences; highlighting the fact that the use of Information and Communication Technology (ITC) without the prohibition of online gender-based violence could exacerbate sexual and gender-based violence in society even further.

But ignoring all these, 2020 one of the largest virtual reality porn companies known as “Sex Like Real” launched a new engaging experience. It uses multi-camera videos and provides a feature of interaction through synchronized teledildonics. It is a type of haptic device which functions to enhance sexual excitement. It is an immersive technology.

No doubt, this has been shown to improve understanding of people from different ethnicities, genders and abilities – a useful tool for workplace diversity training; but it can be used for harms such as cyberbullying, grooming children for online sexual abuse, and image-based abuse (sharing intimate content of someone without their consent, including sexual extortion), since in this technology virtual sensations feel real – It can increase the impact of negative interactions, and lead to a rise in online assaults and abuse.

There is every possibility that by the use of teledildonics make the predators to intensify the abuse if they do not have physical contact with them. So, immersive experiences allow abuse and antisocial attitudes, including sexism, racism and homophobia, could also desensitise the user, making them more likely to act that way in real life. So this technology is full of risks.

These things are going to be normalised with the advent of artificial intelligence; all over the world since this is the

global world. That the nature of future rape violence will be more vulnerable in near future is confirmed. And it will affect humanity; it is sure. According to the Sum of us report, the terrifying realities of what can occur as our society evolves to become more based within the virtual world. As virtual reality continues to evolve, questions involving the legality of user interactions have also begun to evolve. Particularly, the most complicated legal inquiries stemming from interactions between users within the virtual realm concern what is known as virtual rape.⁹ In 2022, the adult online content market in the US, was estimated to have a value of almost 977 million US dollars, in 2023, the pornographic websites market in the US is project to surpass one billion US dollars in value with an annualized market growth of 12.6% by 2023, the online porn market in the country estimated a growth of approx., 58% compared to 2018.¹⁰

According to philosopher Morgan Luck observes that while most people think that virtual murder (killing non-player characters) is morally permissible, they think that virtual paedophilia and sexual assault is not. Though virtual murder and virtual paedophilia or sexual do not directly harming other people; if these led to non-virtual reality that would be a major harm.¹¹

As answer to the questions –what would be the nature of sex violence (rape violence) In India (world) if it remains unconstrained? And the question should govt. of India normalize sex-violence? I would like to say that to stop the rate of rape violence in India the problem must be taken by the educated people, politicians and all the people of India who feel responsibility to root out the crimes like rape violence seriously. We must first of all have to change our old mindset. (When I was presenting a paper on what can we do to stop rape rate and brutality in rape in an international conference; then some educated people (Resource persons) told me to stop rape in my individual level. They ridiculed me by saying that “why are you talking about to reduce rape rate? If you can; you stop it? If you cannot, don’t discuss about reducing rape and brutality in it. I tried to say that since we cannot control sex or our sensation completely it is not possible to root out rape completely; because most of the times it becomes difficult to find out whether forced sex is with or without consent. In case of Indian society, it would not be possible to stop rape from Indian society completely. It is not possible to root out misogynistic thought from Indian mind set of men completely who believe whole heartedly in the prescription of scriptures on women’s control even today. But we can try to think how we can change it, so that we can reduce the rape rate and the changing nature of rape with brutality. Then they said, Sex violence is not only the problem of India, the problem all over the world.) So, question arises in my mind what India can do to stop brutality in rape in global as well as in regional level? It is not that the problem is going on all over the world; so we should not take the problem seriously.

Now we have a country where we acknowledge rape, and for better or worse, get to hear our leaders pontificate on the subject.¹² After Nirvaya rape case, the Justice Verma

Committee invited the Indian Public to advice and comment on rape and rape laws, and seventy thousand people responded. Apart from recommending judicial reform, police reforms, and other obvious steps, the report also recommended systematic change to alter rape culture and protect women. The time when report blamed the government and public apathy as well as the rampant sexism that breeds an atmosphere of impunity, the report called out some of the most toxic example of government response like ("the victim is as guilty as her rapists..... can one hand clap? I don't think so.")¹³ It is condemned as "outrageous stain on free India." So, when it is said by the academic elite that since rape violence is not the only problem of India but of the whole world; so we should not focus more on it; can it not be regarded as the "outrageous stain on free India?" "In a world full of noise, it's easy to overlook the silence around rape. It's easier to talk about statistics and lofty principles than to try to wrestle with issues of impunity and unpredictable memory and illogical justifications; of shame and guilt and the tedium of trauma that goes on and on and on"¹⁴ We must have to rethink on the issue, stop silence and; think on human rights to make our world livable as real human beings.

To control rape violence in India is not in the hands of Indian govt. in the global context. But

At local level Govt. of India can take both short term measures as I have mentioned.

CONCLUSION

To minimize the rate of sex violence in India; ruling govts. must not give priority to do win election only without giving much priority to the socio-economic development of poorer sections of society, to remove the deplorable conditions of women and to make them alert about their rights then only punishment cannot stop sex-violence in India.

Policy interventions are needed to deal with online sexual-violence.

High level researches should be done on the impact of pornography on various aspects of adolescents' growth and development.

At last I would like to conclude with the words of Dr. Donald L. Hilton, a neuro-surgeon who fights pornography, that," we live in a porn-saturated world with an instable or unsatisfying appetite and seemingly instable to supply of pornographic materials. It's easy to find to access and cheap to buy. And while we may not be able to rid the world of pornography, we can make a complete and total difference with our children by starting early to pornoculate them. It will make a difference, and it's the only way that will work"

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